

### **REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

#### **A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants basically:

1. Amend the Abstract.
2. Thank the Examiner for the indication of allowable subject matter in claims 6, 10, 11, 13-15, 25, 33, 33, 44, 51, 52, 54 and 61.
3. Thank the Examiner for the indication of allowance of claims 7, 16, 26, 35, 45, 62 and 63.
4. Respectfully traverse all prior art rejections.

#### **B. PATENTABILITY OF THE CLAIMS**

Claims 2-5, 8, 9, 12, 17-19, 21-24, 27-31, 34, 36-38, 40-43, 46-50, 53, 55-60 and 64 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Publication No. 2001/0034228 to Lehtovirta et al in view of U.S. Patent 6,532,227 to Leppisaari et al. All prior art rejections are respectfully traversed for at least the following reasons.

Independent claims 2, 21, 40, and 58 involve ascertaining a failure of a radio network control node; and, upon such failure, preparing an omnibus release message with a first selected parameter thereof having a predetermined value to indicate that all connections controlled by the radio network control (RNC) node are to be released.

U.S. Publication No. 2001/0034228 to Lehtovirta et al does not provide a basis for denying patentability of Applicant's independent claims 2, 21, 40, and 58 (or any claim dependent thereon). The RESET message of Lehtovirta referenced in the office action does not reflect failure of a radio network control node, but rather of a PSCN node (which is outside of the radio access network and is instead in a core network. See, e.g.,

paragraph [0012] of U.S. Publication No. 2001/0034228 to Lehtovirta et al.). Moreover, even if the RNC node of Lehtovirta were to be construed as relaying the RELEASE message, note that not all connections of the radio network control node are released. In this regard, note that paragraph [0038] of Lehtovirta specifically states that “as a result, the RNC 26 should release resources ...*associated with the PSCN node*”. Consequently, other resources associated with the RNC 26 but not associated with the PSCN node are not released by Lehtovirta. Therefore, Lehtovirta does not teach releasing all connections controlled by the radio network control (RNC) node.

No applied reference rehabilitates the deficiencies of Lehtovirta relative to Applicant's claims.

Nor does U.S. Publication No. 2001/0034228 to Lehtovirta et al provide a basis for denying patentability to Applicant's independent claims 18, 37, 38, 56, and 57 (or any claim dependent thereon). As an example of independent claims 18, 37, 38, 56, and 57, independent claim 18 refers to:

sending from the serving radio network controller node to the drift radio network controller node a request for release of connections with mobile terminals controlled by the serving radio network controller node in cells controlled the drift radio network controller node;  
preparing an omnibus release message to release plural connections handled by the radio access network;  
sending the omnibus release message from the drift radio network controller node to base station(s) controlled by the drift radio network controller node.

Nowhere does the office action even allege, nor the applied prior art teach, the sending of an omnibus release message from a drift radio network controller node to base

station(s) controlled by the drift radio network controller node upon a serving radio network controller node sending a request for release of connections to the drift radio network controller node.

Therefore, U.S. Publication No. 2001/0034228 to Lehtovirta et al does not provide a basis for denying patentability to any of Applicant's incorrectly rejected independent claims.

### **C. MISCELLANEOUS**

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: /H. Warren Burnam, Jr./

H. Warren Burnam, Jr.  
Reg. No. 29,366

HWB:lsb  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100